

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

RUDOLPH McQUILKIN,

Plaintiff,

**Civil Action No.
9:08-CV-00975 (TJM/DEP)**

v.

**CENTRAL NEW YORK PSYCHIATRIC
CENTER, J. TAYLOR, J. BERGGREN,
V. KOMARETH, K. SANGANI, DR.
HERNANDEZ, D. SAWYER, S. HANNA,
and G. BODROG,**

Defendants.

**THOMAS J. McAVOY,
Senior United States District Judge**

DECISION & ORDER

This *pro se* action brought pursuant to 42 U.S.C. § 1983 was referred to the Hon. David E. Peebles, United States Magistrate Judge, for a Report and Recommendation pursuant to 28 U.S.C. § 636(b) and Local Rule 72.3(c). No objections to the Report-Recommendation and Order dated August 27, 2010 have been filed, and the time to do so has expired. Furthermore, after examining the record, this Court has determined that the Report-Recommendation and Order is not subject to attack for plain error or manifest injustice. Accordingly, the Court adopts the Report-Recommendation and Order for the reasons stated therein.

It is therefore,

ORDERED that Defendants' motion for summary judgment (Dkt. No. 66) is **GRANTED**, and Plaintiff's claims against the Central New York Psychiatric Center, Berggren, Hernandez, Sawyer, Hanna and Taylor are **DISMISSED** in all respects, with prejudice; and it is further

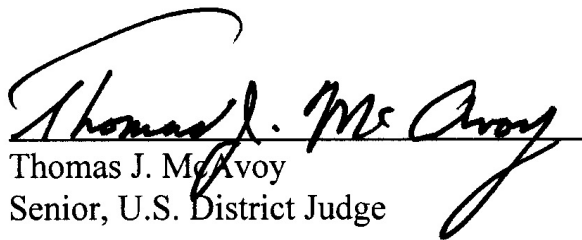
ORDERED that Defendant Sangani's motion to dismiss the complaint (Dkt. No. 56) is **GRANTED** and all claims against Sangani are **DISMISSED** with prejudice; and it is further

ORDERED that Plaintiff's claims against Defendants Komareth and Bodrog are **DISMISSED**, *sua sponte*, without prejudice.

The Office of the Clerk of the Court is instructed to close the file in this matter.

IT IS SO ORDERED

DATED: September 20, 2010


Thomas J. McAvoy
Senior, U.S. District Judge